

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN**

In re

CITY OF DETROIT, MICHIGAN,

Debtor.

)

) Chapter 9

)

) Case No. 13-53846

)

) Hon. Steven W. Rhodes

)

) **Expedited Consideration**

) **Requested**

***EX PARTE* MOTION FOR SHORTENED NOTICE AND EXPEDITED
HEARING ON MOTION TO COMPEL THE PRODUCTION OF
DOCUMENTS**

Syncora¹ submits this *Ex Parte* Motion for Shortened Notice and Expedited Hearing on the *Motion to Compel the Production of Documents* (the “Motion to Compel”) and respectfully represent as follows:

Jurisdiction and Venue

1. The Court has jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334. Venue is proper in this district under 28 U.S.C. §§ 1408 and 1409.

Relief Requested and Basis for Relief

2. Pursuant to Bankruptcy Rule 9006(c) and Local Bankruptcy Rule 9006-1(b), this Court may, *ex parte*, shorten the notice period provided by Local Bankruptcy Rule 9014-1 for a party to take any action or file any paper. Fed. R. Bankr. P. 9006(c); E.D. Mich. LBR 9006-1(b).

¹ Capitalized terms not defined herein have the meanings given to them in Syncora’s Motion to Compel.

3. Syncora respectfully requests that, pursuant to Bankruptcy Rule 9006(a) and Local Bankruptcy Rule 9006-1(b), the Court shorten the notice period with respect to the Motion to Compel and schedule an expedited hearing on the Motion to compel on **May 12, 2014**.

4. Contemporaneously with the filing of this *Ex Parte* Motion, Syncora filed the Motion to Compel. For the reasons stated in the Motion to Compel, Syncora seeks the entry of an order compelling the City of Detroit to produce documents responsive to Syncora's documents requests and to provide a privilege log.

5. The Court has currently scheduled a hearing for May 12, 2014 in connection with objections to written discovery. (*See* Fourth Amended Order Establishing Procedures, Dates, Deadlines and Hearing Dates Relating to the Debtor's Plan of Adjustment [Doc. No. 4202].) This Motion to Compel addresses the same issues as those that will be addressed at the May 12, 2014 hearing, and Syncora submits efficiency will be served by scheduling a hearing on this Motion to Compel for May 12, 2014.

6. Syncora will serve this *Ex Parte* Motion to the parties in the above-captioned proceedings and will provide notice of the *ex parte* order upon issuance pursuant to E.D. Mich. LBR 9006-1(b).

Conclusion

WHEREFORE, Syncora respectfully requests that the Court enter an Order, substantially in the form attached as Exhibit 1, granting the relief requested in this *Ex Parte* Motion and granting such further relief as this Court deems appropriate.

Dated: May 9, 2014

Respectfully submitted,

KIRKLAND & ELLIS LLP

By: /s/ Stephen C. Hackney
James H.M. Sprayregen, P.C.
Ryan Blaine Bennett
Stephen C. Hackney
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200

- and -

Stephen M. Gross
David A. Agay
Joshua Gadharf
MCDONALD HOPKINS PLC
39533 Woodward Avenue
Bloomfield Hills, MI 48304
Telephone: (248) 646-5070
Facsimile: (248) 646-5075

*Attorneys for Syncora Guarantee Inc. and
Syncora Capital Assurance Inc.*